IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

WP(C).No. 8368 of 2007(U)

PETITIONER:

SAJEEV C.K., CHALIL HOUSE, PALA KARA,
LALAM VILLAGE.

BY ADV. SRI.P.C.HARIDAS

RESPONDENTS:

1.STATE OF KERALA, REPRESENTED BY ITS SECRETARY TO THE DEPARTMENT OF LOCAL SELF GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2.DEPUTY DIRECTOR OF PANCHAYATH, KOTTAYAM.

3.LALAM BLOCK PANCHAYATH, PALA
REPRESENTED BY ITS SECRETARY.

4.KAROOR GRAMA PANCHAYATH, KAROOR P.O.,
PALAI, REPRESENTED BY ITS SECRETARY.

R4 BY ADV. SRI.SUNIL CYRIAC, SC,KAROOR G.PANCHAYAT
R1-R2 BY GOVT. PLEADER SMT.T.B.RAMANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.8368 of 2007

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Dated: 13th March, 2007

JUDGMENT

Heard Mr.P.C.Haridas, counsel for the petitioner and Mr.Sunil Cyriac who has taken notice on behalf of the 4th respondent.

2. Having regard to the rival submissions made at the bar and the documents placed on record, I am of the view that the petitioner cannot have any legitimate grievance regarding the work which has now been taken up by the 4th respondent for constructing a roof. His complaint regarding non-payment of remuneration and also regarding non-taking of measurements regarding the work executed by him in response to Ext.P2 tender notice is pending before the Ombudsman for Local Self Government Institutions. It for the Ombudsman to take a decision on that complaint. The submission of Mr.Haridas that if the 4th respondent is not restrained from executing the truss work, it may not be possible to have a measurement of the work actually executed by the petitioner properly taken, does not appeal to me since the work actually executed by the petitioner pursuant to Ext.P2 and the work which has now been taken up by the 4th respondent are

different in nature and content. The Writ Petition will stand dismissed giving liberty to the petitioner to file appropriate application before the Ombudsman for obtaining appropriate interim orders.

srd **PIUS C.KURIAKOSE, JUDGE**